UNITED
NATIONS

E

Economic and Social
Council

Distr
GENERAL

E/CN.4/2000/15
9 December 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-sixth session
Item 6 of the provisional agenda

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION

Report of the Secretary-General submitted pursuant to Commission resolution 1999/78

I. INTRODUCTION

1. In paragraph 70 of its resolution 1999/78 of 28 April 1999, the Commission on Human Rights requested the Secretary-General to submit a report to the Commission at its fifty-sixth session on the implementation of the resolution under the agenda item entitled "Racism, racial discrimination, xenophobia and all forms of discrimination". The present report is submitted pursuant to that request.

2. This report is organized around the topics referred to in the Commission's resolution. It makes reference to the specific requests contained in the resolution and the action taken to date to implement those requests.

II. IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION AND COORDINATION OF ACTIVITIES

3. The Commission, in its previous resolution on the subject, resolution 1998/26, requested that the activities of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination be focused towards the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

4 The following activities have been undertaken within the Programme of Action for the Third Decade (General Assembly resolution 49/146, annex). Reports on these activities will be submitted to the first session of the Preparatory Committee for the World Conference:

(a) A seminar of experts on racism, refugees and multi-ethnic States (Geneva, 6-8 December 1999) (paragraph 7 (h) of the Programme of Action);

(b) The completion of a study on economic factors contributing to the perpetuation of racism and racial discrimination (para. 19 (b));

(c) A study on the effects of racial discrimination on the children of minorities and of migrant workers (para. 7 (d); see also resolutions 53/132, para. 11 and 52/111, para. 10).

III. SPECIAL RAPPORTEUR ON CONTEMPORARY FORMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

5 In paragraph 35 of its resolution, the Commission requested the High Commissioner for Human Rights to undertake research and consultations on the use of the Internet for purposes of incitement to racial hatred, racist propaganda and xenophobia, to study ways of promoting international cooperation in this area, and to draw up a programme of human rights education and exchanges over the Internet on experiences in the struggle against racism, xenophobia and anti-Semitism. The Office of the High Commissioner for Human Rights (OHCHR) has undertaken a number of steps regarding this request. On 20 May 1999, the High Commissioner sent a letter to States and other organizations inviting comments and asking for information and views with regard to this subject. As at 30 November 1999, the time of submission of the present report, eight States, three intergovernmental organizations and two non-governmental organizations had replied. An analysis of these replies is being made and will be presented at the first session of the Preparatory Committee.

6 OHCHR has also incorporated an Internet component into the seminar that is to be held in February 2000 on remedies available to victims of acts of racism, racial discrimination, xenophobia and related intolerance and on good practices in this field, consisting of the submission of papers by two experts on this theme. This work builds on two previous seminars that the Office has held which focused on the question of the Internet and its use for the purpose of incitement to racial hatred, racist propaganda and xenophobia, and ways of promoting international cooperation in this area (see Report of the expert seminar on the role of the Internet in the light of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, document E/CN.4/1998/77/Add.2, and Report of the United Nations seminar to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination with particular reference to articles 4 and 6, document E/CN.4/1997/68/Add.1).

7 OHCHR will continue its research into the question of the Internet and its use for the purpose of incitement to racial hatred, racist propaganda and xenophobia and ways of promoting international cooperation in this area. It is the intention of OHCHR to present a report to the

second session of the Preparatory Committee on the basis of its consultations and research on this subject. The technical experts with OHCHR were of the view that Internet technology is changing so fast that it would be more useful for OHCHR to submit a comprehensive report to the second session so that its findings could be used as a reference during the World Conference itself and to minimize the risk of submitting information which might be out of date in a year

8. With respect to the request in paragraph 35 to draw up a programme of human rights education and exchanges over the Internet on experience in the struggle against racism, xenophobia and anti-Semitism, OHCHR has added a new element to its current human rights education component on the home page of the Office's Web site, and also through the World Conference site which has been established within the OHCHR Web site. This new element focuses on OHCHR's work in multicultural education, the educational problems of indigenous peoples, reports of the Special Rapporteur on the right to education which analyse issues relating to racial discrimination, and reports by other mechanisms of the United Nations which address the question of racial discrimination in education and how to overcome it. The Office has also established links to other work done on this subject within the United Nations system, notably with UNICEF's research centre in Florence, Italy, which is doing a major study on the effects of racial discrimination on ethnic minorities, and the ILO's programme of research studies in the context of training and educational efforts to combat racial discrimination against migrants.

IV. INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

9. Regarding the International Convention on the Elimination of All Forms of Racial Discrimination, attention is drawn to the most recent report of the Committee on the Elimination of Racial Discrimination to the General Assembly (A/54/18), which provides information on the International Convention and its application. The Committee, along with the Sub-Commission on the Promotion and Protection of Human Rights and the special rapporteurs, were invited in paragraph 61 of the Commission's resolution to participate actively in the preparatory process (see below for a summary of action taken by these mechanisms).

V. WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

10. In paragraph 49 of the resolution the Commission requested the High Commissioner to prepare questionnaires to review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance and to reappraise the obstacles to further progress in the field and ways to overcome them. A note verbale with a questionnaire containing the substantive content of the request of the Commission was sent to States and organizations on 22 June 1999. As at 30 November 1999, 25 States, 3 national institutions, 5 intergovernmental organizations and 10 non-governmental organizations had replied. An analysis of these replies is being made and will be presented to the first session of the Preparatory Committee.

11. In paragraph 49 (c) the Commission requested the High Commissioner to open an Internet site on the preparations for the World Conference. A Web site on the Internet devoted to the preparations for the World Conference has been established

(www.unhchr.ch/html/racism/racism.htm). It can also be accessed from the OHCHR's home page (www.unhchr.ch) where it is prominently displayed. This Web site includes general information, an initial programme of events, a documents database, press releases and statements regarding racism, racial discrimination and the World Conference. It will be updated and expanded on a regular basis in the period leading up to and during the World Conference itself.

12. In paragraph 50 the Commission requested the High Commissioner to prepare and carry out, in close cooperation with the Department of Public Information, an effective world information campaign with a view to mobilization and support for the objectives of the World Conference. Such a campaign is being developed by the Department of Public Information (DPI), in close collaboration with the OHCHR. DPI has undertaken the following activities:

(a) The production of two fact sheets on the World Conference - one dealing with the historical background to the World Conference, i.e. international instruments on racism and racial discrimination, the three decades to combat racism and racial discrimination, and the two previous World Conferences to Combat Racism and Racial Discrimination, and one on why there is a need to hold another world conference against racism in 2001;

(b) The production of an eight-page pamphlet on the World Conference;

(c) The production of banners for use in meetings in connection with the World Conference.

13. DPI has also indicated that, once the dates of the World Conference are fixed, a poster will be produced to give maximum publicity to the time and place of the World Conference.

14. On 10 December 1999, the World Conference will be the theme of Human Rights Day and the High Commissioner is organizing, in close cooperation with DPI, a commemorative event to mark the United Nation's efforts to combat racism and racial discrimination, and to highlight the importance of the World Conference in establishing a new strategy for the twenty-first century.

15. In addition, the Universal Postal Union, at the High Commissioner's request, has stated its intention to issue a special stamp for the World Conference.

16. In accordance with paragraph 51 of the Commission's resolution, the High Commissioner has to date proposed the appointment of the following goodwill ambassadors for the World Conference: Mr. Ruben Blades (Panama), actor and singer; Ms. Marian Wright Edelman (United States of America), children's rights advocate; Ms. Vigdis Finnbogadottir, former President of Iceland; Mr. Seamus Heaney (Ireland), poet; Mr. Tahar Ben Jelloun (Morocco), writer; Mr. Ravi Shankar (India), musician; and Mr. Wole Soyinka (Nigeria), writer.

17. In paragraph 51 (b) the Commission requested the High Commissioner to include in her strategy for informing international public opinion about the World Conference an invitation to the sports world to cooperate actively as a partner in the World Conference. OHCHR has been

in contact with various international sporting organizations and is discussing with them what contribution they could make to the struggle against racism and racial discrimination in the framework of the World Conference.

18. In paragraph 51 (c) the Commission requested the High Commissioner to raise funds from the private sector. OHCHR has been active in approaching a number of private sector sources of funding and has received sizeable contributions, notably from the Ford Foundation.

19. In paragraph 51 (d) and (e) the Commission requested the High Commissioner to make full use of the services of United Nations information centres (UNIC) and to dispatch public information materials to Governments, international governmental organizations, non-governmental organizations and national institutions. DPI is using the UNIC around the world for the dissemination of the pamphlet and the two fact sheets produced for the World Conference. When the dates and location of the World Conference are finalized, DPI will also produce a poster which will be distributed through the UNIC. OHCHR will make available the public information materials produced to date during the commemorative event that is being organized for 10 December 1999, Human Rights Day, where the World Conference will be the focus of activities; these public information materials will similarly be made available during the activities planned for the International Day for the Elimination of Racism on 21 March 2000.

20. Other action by OHCHR includes the circulation to all Permanent Missions in Geneva of a note verbale dated 25 October 1999 with as attachments the declarations and programmes of action of the two previous world conferences, together with the six studies that have been prepared by members of the Committee on the Elimination of Racial Discrimination.

21. In paragraph 53 the Commission requested the High Commissioner to set up a voluntary fund designed specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental organizations, especially from developing countries. The voluntary fund has been opened with a special account and appeals have been made for funding.

22. In paragraph 54 the Commission requested the High Commissioner to undertake appropriate consultations with non-governmental organizations on the possibility that they might hold a forum before and partly during the World Conference. Such consultations have taken place in both Geneva and New York, and OHCHR is in regular contact with an NGO Planning Committee for the World Conference that has been established by a number of NGOs based in Geneva. The holding of an NGO forum is one of the matters being discussed.

23. In paragraphs 55 and 56 the Commission requested the High Commissioner and the Secretary-General, respectively, to provide assistance for the holding of regional preparatory meetings. OHCHR has held consultations with representatives of the regional groups regarding the holding of regional preparatory meetings. Representatives of the Office have attended meetings of the technical working group organized by the Council of Europe for the European Conference entitled "All different all equal: from principle to practice - European Contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related

Intolerance" to be held in October 2000, to which the Office will contribute a background paper. The level of financial and technical assistance that OHCHR will be able to provide will be dependent upon the number of requests which are made for this purpose and the voluntary contributions received.

24. In paragraph 61 the Commission invited United Nations bodies and mechanisms dealing with the question to participate actively in the preparatory process. With regard to the Committee on the Elimination of Racial Discrimination, the background papers prepared by individual members of the Committee, the Committee's two decisions relating thereto, and a paper on best national practices based on the Committee's examination of States parties reports will be submitted to the first session of the Preparatory Committee. Papers relating to racism and racial discrimination prepared by experts of the Sub-Commission will be submitted to the first session of the Preparatory Committee, along with the Sub-Commission's resolutions regarding its contribution to the preparations for the World Conference. The contributions of the relevant special rapporteurs are outlined below.

25. In paragraph 63 (a) the Commission requested the High Commissioner to undertake a study on ways of improving coordination between her Office and all the relevant specialized agencies and international, regional and subregional organizations. This study is being prepared and will be submitted to the first session of the Preparatory Committee. It should be added in this regard that the High Commissioner raised this issue at the second regular session for 1999 of the Administrative Committee on Coordination, held in New York on 29 and 30 October 1999.

26. In paragraph 63 (b) the Commission requested the High Commissioner to help the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to carry out a study on preventive measures relating to ethnic, racial, religious and xenophobically motivated conflicts and to formulate recommendations. The Special Rapporteur has indicated that he will submit a preliminary study on prevention to the first session of the Preparatory Committee and that he will finalize this study and submit the complete version at the second session.

27. In paragraph 63 (c) the Commission requested the High Commissioner to invite the Special Rapporteur on religious intolerance to participate actively in the preparatory process and in the World Conference by initiating studies on action to combat incitement to hatred and religious intolerance. The Special Rapporteur has indicated that he will submit one study relating to the subject of racism from the perspective of his mandate to the first session of the Preparatory Committee, and one or more studies to the second session.

28. In paragraph 65 (a) the Commission requested the High Commissioner to review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways to overcome them. A report on this subject is being prepared and will be submitted to the first session of the Preparatory Committee.

29. In paragraph 65 (b) the Commission requested the High Commissioner to organize an international seminar of experts on the remedies available to victims of acts of racism, racial discrimination, xenophobia and related intolerance and on good national practices in this field. This seminar is scheduled to take place in Geneva from 16 to 18 February 2000 and a report will be submitted to the first session of the Preparatory Committee. The holding of this seminar is made possible thanks, in part, to a financial contribution by the Government of Switzerland.

30. In paragraph 65 (b) the Commission also requested the High Commissioner to encourage other activities, particularly seminars forming part of the preparations for the World Conference, and to submit the recommendations of these seminars to the Preparatory Committee. As stated in paragraph 4 (a) above, a seminar of experts on racism, refugees and multi-ethnic States is being held from 6 to 8 December 1999 within the framework of the activities of the Third Decade to Combat Racism and Racial Discrimination, and the report on the seminar will be submitted to the first session of the Preparatory Committee.